IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

Crl.Rev.Pet.No. 994 of 1998()

CRA.31/1998 of V ADDL.SESSIONS COURT, ERNAKULAM
CC.40/1993 of ADDL.CHIEF JUDICIAL MAGISTRATE (E & O),ERNAKULAM

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REVN. PETITIONER: APPELLANT/ACCUSED

P.P.KUNHAMU
S/O.KOYAKUTTY
PADATH PEEDIYEKKAL
VAYALATHOOR P.O., PONMUDAM
TIRUR.

BY ADV. SRI.S.WILLIAMS
SRI.P.C.HARIDAS

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

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1. ASSISTANT COLLECTOR, AIR CUSTOMS
AIRPORT, THIRUVANANTHAPURAM

2. STATE OF KERALA, REPRESENTED BY PUBLIC PROSEUCTOR
HIGH COURT OF KERALA.

BY ADV. SMT.MARY BENJEMIN
SRI.N.ANILKUMAR, ADDL.CGSC
BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 12/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.R.P.994/98

ORDER ON CRL.M.P.NO.4964/98 IN CRL.R.P.NO.994/98

DISMISSED

12.3.2007 SD/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

CRL.R.P.No.994 of 1998

Dated this the 12th day of March, 2007

ORDER

Revision petitioner stands convicted for the offence under Section 135(1)(ii) of the Customs Act, 1962 and sentenced to pay a fine of Rs.50,000/- and in default, to undergo simple imprisonment for a period of six months.

2. The matter is with respect to the alleged illegal bringing in of 466 gms. of gold. The incident took place in 3.12.1991. The counsel for the revision petitioner has only pleaded for leniency so far as the sentence is confirmed. He has also submitted that the accused had already undergone imprisonment during the pretrial period. In the circumstances and the concerned fact that after the incident more than one and half decade is over and the revision petitioner was facing the criminal proceedings so far, the amount of fine is reduced to Rs.20,000/- with default sentence of three months.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl